

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1422 be amended to read as follows:

- 1 Page 4, between lines 6 and 7, begin a new paragraph and insert:
2 "Sec. 14. (a) A taxpayer is liable for a recapture tax in the
3 taxable year when the disqualifying relocation described in
4 subdivision (2) occurs if:
5 (1) the taxpayer was entitled to the credit provided under
6 section 8 of this chapter in any previous taxable year; and
7 (2) the eligible business whose qualifying project served as the
8 basis of the credit again relocates the corporate headquarters
9 of the eligible business to a location outside of Indiana within
10 five (5) taxable years after the taxable year in which the
11 relocation costs were incurred for the qualifying project.
12 (b) The amount of the recapture tax is the amount determined
13 in STEP THREE of the following formula:
14 STEP ONE: Determine the amount of the credit originally
15 determined under section 9 of this chapter.
16 STEP TWO: Determine the recapture tax percentage
17 associated with the taxable year following the taxable year in
18 which the relocation costs were incurred for the qualifying
19 project under the following table:
20

TAXABLE YEAR	PERCENTAGE
21 1	100%
22 2	80%
23 3	60%
24 4	40%
25 5	20%

1 **STEP THREE: Multiply the STEP ONE amount by the STEP**
2 **TWO amount.**

3 **(c) For purposes of this section and section 11 of this chapter,**
4 **state tax liability includes the recapture tax liability imposed by this**
5 **section."**

(Reference is to HB 1422 as printed February 25, 2005.)

Representative Reske